

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

MA & UD Department -Public Servant – Case under the PC Act,1988 against Late Sri K.Subba Rao, formerly AE, Chirala Municipality, Prakasam District – Regularisation of the suspension period in respect of Late K. Subba Rao, AE from 16.10.1998 to 29.07.2001 and dismissal period from 19.08.2004 to 10.03.2011 “Not on duty” as per the amendment orders to 54 (5) and FR-B (7) - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 355

Dt: 20.05.2015

Read the following :-

1. G.O.Rt.No.867, MA&UD(Vig.I) Dept., Dt:23.05.2013.
2. From the ENC(PH), A.P., Hyderabad, Lr.No.E1(1)/17975/98-2012,Dt:23-06-2014.
3. G.O.Ms.No.307, Finance (FR.II)Dept., Dt:03.12.2012.

ORDER :

In the reference 1st read above, Govt. have issued orders implement the order dated 19.03.2012 of the Ho'ble High Court of A.P. in Crl. Appeal No.1205/2004 and Crl. AMP NO.517/12 and releasing all the terminal benefits to the family of Late Sri K.Subba Rao, formerly Assistant Engineer, Public Health, Chirala Municipality, Prakasam District and requested the Engineer-in-Chief (Public Health), Hyderabad shall take necessary action for release of pensionary benefits to Smt. K. Rama Devi, wife of late Sri K. Subba Rao, AE (Public Health) as per Rule 9 (7) of A.P. Revised Pension Rules, 1980 and submit proposals to Government, immediately.

2. The ENC(PH), A.P., Hyderabad in his letter 2nd read above, while enclosing the representation of Smt. K. Rama Devi, has requested the Govt., to issue appropriate orders on her request for regularising the suspension period of Late Sri K.Subba Rao, AE from 16.10.1998 to 29.07.2001 and dismissal period from 19.08.2004 to 10.03.2011.

3. Government after careful examination of the matter have observed that since the individual was convicted by Criminal Court, the suspension period is justified, keeping in view of the Judgment of the Supreme Court of India in Baldevsingh Vs Union of India & others(2005 (8) SCJ 277) and in GHMC Vs M. Prabhakar Rao(2011(8) SCALE 90). Accordingly, Government after careful examination of the matter here by order that the suspension period in respect of Late K. Subba Rao, AE, Chirala Municipality, Prakasam District from 16.10.1998 to 29.07.2001 and dismissal period from 19.08.2004 to 10.03.2011 be regularized as “not on duty” on the principle of no work no pay denying back wages for the above period. However, the said period is counted for sanction of pensionary benefits to the individual as per the amendment orders to FR 54 (5) and FR-B (7) issued in G.O.Ms.No.307, Finance (FR.II) Dept. dated 03.12.2012, since, the individual was acquitted by the Hon'ble High Court, Smt K. Rama Devi, W/o Late K. Subba Rao, AE is entitled for sanction of pensionary benefits.

4. The Engineer – In – Chief (PH), A.P., Hyderabad shall take necessary action in the matter accordingly.

6. This order issues with the concurrence of the Finance (HR- IV-FR) Dept., vide their U.O No.6640/372/HR.IV/14, Dt:23.12.2014.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

G. JAYALAKSHMI
SECRETARY TO GOVERNMENT

To
The ENC(PH), A.P., Hyderabad.
Smt. Kallu Ramadevi, W/o Late K. Subba Rao.

(PTO)

Kottapeta Village, Vetapalem Mandal, Prakasam District.
Through ENC(PH), A.P, Hyderabad.

Copy to :

The Prl. AG(A&E), A.P., Hyderabad

The DG, ACB,AP, Hyderabad.

The Secretary to VC, APVC, Hyderabad

The PS to M(MA).

The Commissioner, Chirala Municipality, Prakasam District.

SF/SC.

// Forwarded :: By Order //

SECTION OFFICER